

## City of Annapolis Police and Fire Retirement Commission

### Minutes of February 10, 2021 (Open Session)

The Commission met on February 10, 2021 at 8:30am, utilizing Zoom pursuant to duly published notice thereof. Commission members present were Chairman Joe Semo, Alderman Ross Arnett, Finance Director Jodee Dickinson, Human Resources Manager Tricia Hopkins, City Manager David Jarrell, Kathie Sulick and John Wardell with the Fire Department. Also, present were: Ian Jones, Senior Consultant for AndCo Consulting, Assistant City Attorney Ashley Leonard, Fire Battalion Chief John Ortlieb with the Fire Department, Constituent Services Officer & Ombudsman Hilary Raftovich and Nikki Olajire, Senior Accountant of the Finance Department. Noting the presence of a quorum, the meeting was called to order.

#### Approval of the Minutes

The meeting minutes from December 03, 2020 was approved.

#### Investment Market Environment and Retirement Plan Performance

Mr. Jones reviewed the 2020 market environment update as of December 31, 2020 and the market environment as of February 9, 2021.

The Open session ended and executive session started at 8:55am

#### **SUMMARY OF CLOSED SESSION HELD ON February 10, 2021**

##### ***1. Statement of the time, place, and purpose of the closed session:***

Time of closed session: 8:55am

Place (location) of closed session: Zoom

Purpose of the closed session: To discuss performance and Investment review

##### ***2. Record of the vote of each member as to closing the session:***

Motion to close meeting made by: Alderman Arnett    Seconded by: Ms. Sulick

Members in favor: All    Members opposed: None    Abstaining: None

##### ***3. Statutory authority to close session:***

This meeting was closed under the following provisions of General Provisions Art. § 3-305(b):

☐ Topic #1: § 3-305(b) ( )    ☐ Topic #2: § 3-305(b) ( )

##### ***4. Listing of each topic actually discussed, persons present, and each action taken in the session:***

Topic description	Persons present for discussion	Action Taken/Each Recorded Vote
#1: Retirement Plan Performance	All listed above	No vote
#2: Discussion of Active vs. Passive Education	All listed above	No vote

Alderman Arnett moved to adjourn the meeting, Fire Battalion Chief Ortlieb seconded and all were in favor. The meeting adjourned at 11:08 a.m. The next meeting is scheduled for Wednesday, April 14, 2021 at 8.30 a.m. as a virtual meeting.

Respectfully Submitted,  
Nikki Olajire  
Senior Accountant

**COMPLIANCE CHECKLIST**  
**FOR MEETINGS SUBJECT TO THE MARYLAND OPEN MEETINGS ACT \***

Name of public body City of Annapolis Police and Fire Retirement Commission Date of Meeting: February 10, 2021

1. Y Did you give "reasonable advance notice" and keep a copy or screenshot?
2. Y Did you make an agenda available when notice was posted, or, if not yet determined, as soon as practicable, but at least 24 hours before the meeting?
3. Y Did you make arrangements for the public to attend?
4. Y Is someone prepared to keep minutes in writing or, otherwise, to run the equipment for minutes in the form of live and archived video or audio streaming?
5.      If part of this meeting might be closed to the public, have you first:
  - Made sure that the public body has designated a member to take training in the Act?
  - Y Made sure that the topic to be discussed falls entirely within one or more of the "exceptions" that allow the closed session? (see the other side for the list)
  - Y Given notice of the open meeting to be held right before the closed session, so that the presiding officer can hold the required public vote to close?
  - Made sure that the initial open meeting will be attended by a member designated to take training in the Act, and, if a designated member cannot attend, made sure that the public body is ready to complete this compliance checklist at the open meeting and keep it to attach to the minutes?
  - Y Equipped the presiding officer to prepare a written statement with the required disclosures? (for a model form with instructions, go to <http://www.marylandattorneygeneral.gov/Pages/OpenGov/Openmeetings/default.aspx>)
  - Y Equipped the presiding officer to limit the closed session discussion to the exceptions and topics cited on the written closing statement?
  - Y Arranged for closed-session minutes to be kept and adopted as sealed?
  - Y Equipped someone in the closed session to keep a record of each item of information that must be disclosed in the minutes of the next open meeting? (for the list, see the model closing statement).
  - Y For a meeting recessed to hold a closed administrative session, arranged to disclose, in the minutes of the next open meeting, the date, time, and place, persons present, and subjects discussed?
6. Y Have you arranged for the preparation, the adoption as soon as practicable, and posting online if practicable, of minutes of the open meeting, including summaries of any prior closed sessions, and this form (when required), completed on this side?

*\*This checklist is designed for general use as well as for use at open meetings of public bodies that hold closed meetings, when a member designated for training cannot attend the initial open meeting. See GP § 3-213(d). Like the earlier checklists, this checklist gives general guidance, does not guarantee "compliance" with every provision of the Open Meetings Act, and will be revised occasionally.*

*(Revised July 2018)*

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")**  
**UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**  
*with Instructions*

**Instructions to presiding officer:** To meet in a closed session under the Act, the public body must first meet in open session, after providing proper notice. Make sure that the open session is attended by a member designated to receive open meetings training. If a designated member cannot attend, complete the Compliance Checklist.<sup>1</sup> If the public body has never designated a member for training, it must do so **before closing the session**.

Before closing the session, take two steps: (1) conduct a recorded vote on a motion to close; and (2) make a written "closing" statement. If the public body might return to open session afterwards, be sure to tell the public that. During the closed session, keep the discussion topics within the confines of the closing statement. After the closed session, the events of the closed session must be disclosed in the next open-session minutes.

The top part of this form is a model closing statement. It has two sides. Before closing the open session, complete items 1 through 4 on this form or in any writing with the same information. If someone pre-prepared the form for you, make sure it reflects the public body's own intended topics and reasons for closing the meeting. A member of the public may inspect the closing statement at the time of the closing and may object to the decision to close the meeting. Once the meeting is closed, the closing statement sets the agenda and may not be changed.

The bottom part of the form is a worksheet that provides a checklist of the disclosures that must be made in the next open-session minutes. The worksheet is not part of the closing statement.

**1. Recorded vote to close the meeting:** Date: 02/10/21 ; Time: 8:55a.m; Location: Zoom ;  
Motion to close meeting made by: Alderman Arnett ; Seconded by: Ms. Sulick ;  
Members in favor: All ; Opposed: None ;  
Abstaining: None ; Absent: None

**2. Statutory authority to close session (check all provisions that apply):**

**This meeting will only be closed under the provision or provisions checked below, all from General Provisions Art. § 3-305(b):**

(1)\_\_\_ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2)\_\_\_ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3)\_\_\_ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4)\_\_\_ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) X "To consider the investment of public funds"; (6)\_\_\_ "To consider the marketing of public securities"; (7)\_\_\_ "To consult with counsel to obtain legal advice"; (8)\_\_\_ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9)\_\_\_ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10)\_\_\_ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11)\_\_\_ "To prepare, administer, or grade a scholastic, licensing, or qualifying

<sup>1</sup> [http://www.marylandattorneygeneral.gov/OpenGov%20Documents/Openmeetings/COMPLIANCE\\_CHECKLIST%20.pdf](http://www.marylandattorneygeneral.gov/OpenGov%20Documents/Openmeetings/COMPLIANCE_CHECKLIST%20.pdf)

examination"; (12)\_\_\_ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13)\_\_\_ "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14)\_\_\_ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process"; (15)\_\_\_ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to" (i) "security assessments or deployments relating to information resources technology"; (ii) "network security information," such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) "deployments or implementation of security personnel, critical infrastructure, or security devices."

3. For *each* provision checked above, the corresponding topic to be discussed and the public body's reason for discussing that topic in closed session, in as much detail as possible without disclosing the information that may be discussed behind closed doors:

Citation (insert # from above)	Topic <i>We expect to discuss these matters:</i>	Reason for closed-session discussion of topic  <i>We are closing the meeting to discuss this topic because:</i>
§ 3-305(b)(5)	Retirement Plan Performance	
§ 3-305(b) (5)	Discussion of Active vs. Passive Education	

4. This statement is made by Joe Semo, Presiding Officer.

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**WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE  
DISCLOSED IN THE MINUTES OF THE NEXT OPEN SESSION (§ 3-306)(c)(2) or § 3-104**

For meetings closed under an exception, as disclosed above:

Time of closed session: \_\_\_\_\_ Place: \_\_\_\_\_

Purpose(s): \_\_\_\_\_

Members who voted to meet in closed session: \_\_\_\_\_

Persons attending closed session: \_\_\_\_\_

Authority under § 3-305 for the closed session (see chart above): \_\_\_\_\_

Topics actually discussed: \_\_\_\_\_

Each action Taken: \_\_\_\_\_